

## TWENTY-NINTH DAY

Monday, March 13, 2006

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2006, convened at 11:40 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Ilei aloha Beniamina, after which the Roll was called showing all Senators present with the exception of Senators Fukunaga, Menor and Whalen who were excused.

The President announced that he had read and approved the Journal of the Twenty-Eighth Day.

At 12:16 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:26 o'clock p.m.

## HOUSE COMMUNICATION

Hse. Com. No. 349, transmitting H.C.R. No. 15, which was adopted by the House of Representatives on March 10, 2006, was read by the Clerk and was placed on file.

By unanimous consent, action on H.C.R. No. 15, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF DEFENSE TO PRESENT A HOMELAND SECURITY PLAN TO THE LEGISLATURE," was deferred until Tuesday, March 14, 2006.

## SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 57 to 60) were read by the Clerk and were referred to committees:

## Senate Concurrent Resolution

No. 57 "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF EDUCATION INVESTIGATE THE FEASIBILITY OF EBOOKS AS AN ALTERNATIVE TO TRADITIONAL TEXTBOOKS AND REPORT ITS FINDINGS TO THE LEGISLATURE."

Offered by: Senators Kim, Sakamoto, Hooser.

Referred to: Jointly to the Committee on Education and Military Affairs and the Committee on Media, Arts, Science and Technology

No. 58 "SENATE CONCURRENT RESOLUTION URGING THE OWNERS OF KUKUI GARDENS TO SELL THE PROJECT TO A QUALIFIED AFFORDABLE HOUSING NON-PROFIT ORGANIZATION."

Offered by: Senators Menor, Espero, Chun Oakland, Inouye, Sakamoto, Kim, Nishihara, Taniguchi, English, Kokubun, Ige, Baker, Fukunaga, Hooser, Hanabusa.

Referred to: Committee on Commerce, Consumer Protection and Housing

No. 59 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO OFFER MISS HAWAII A CONTRACT FOR SERVING AS THE OFFICIAL HONORARY HOSTESS OF THE STATE OF

HAWAII IN PROMOTING HAWAII'S PRODUCTS TO THE WORLD."

Offered by: Senator Fukunaga.

Referred to: Committee on Business and Economic Development, then to the Committee on Ways and Means

No. 60 "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF EDUCATION EXEMPT THE HIGH CORE PROGRAM'S COMPREHENSIVE SCHOOL ALIENATION PROGRAM FUNDING FROM THE WEIGHTED STUDENT FORMULA BUDGETING PROCESS AS WAS INTENDED BY THE COMMITTEE ON WEIGHTS AND THE BOARD OF EDUCATION."

Offered by: Senators Menor, Bunda.

Referred to: Committee on Education and Military Affairs, then to the Committee on Ways and Means

## SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 36 to 38) were read by the Clerk and were referred to committees:

## Senate Resolution

No. 36 "SENATE RESOLUTION REQUESTING THAT THE DEPARTMENT OF EDUCATION INVESTIGATE THE FEASIBILITY OF EBOOKS AS AN ALTERNATIVE TO TRADITIONAL TEXTBOOKS AND REPORT ITS FINDINGS TO THE LEGISLATURE."

Offered by: Senators Kim, Sakamoto, Hooser.

Referred to: Jointly to the Committee on Education and Military Affairs and the Committee on Media, Arts, Science and Technology

No. 37 "SENATE RESOLUTION URGING THE OWNERS OF KUKUI GARDENS TO SELL THE PROJECT TO A QUALIFIED AFFORDABLE HOUSING NON-PROFIT ORGANIZATION."

Offered by: Senators Menor, Espero, Chun Oakland, Sakamoto, Kim, Kanno, Nishihara, Kokubun, Fukunaga, Inouye, Ige, English, Baker, Hanabusa, Hooser.

Referred to: Committee on Commerce, Consumer Protection and Housing

No. 38 "SENATE RESOLUTION REQUESTING THAT THE DEPARTMENT OF EDUCATION EXEMPT THE HIGH CORE PROGRAM'S COMPREHENSIVE SCHOOL ALIENATION PROGRAM FUNDING FROM THE WEIGHTED STUDENT FORMULA BUDGETING PROCESS AS WAS INTENDED BY THE COMMITTEE ON WEIGHTS AND THE BOARD OF EDUCATION."

Offered by: Senators Menor, Bunda.

Referred to: Committee on Education and Military Affairs, then to the Committee on Ways and Means

## STANDING COMMITTEE REPORT

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 2920) recommending that the Senate advise and consent to the nomination of MARIE LADERTA as the Director of the Department of Human Resources Development, in accordance with Gov. Msg. No. 231.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2920 and Gov. Msg. No. 231 was deferred until Tuesday, March 14, 2006.

#### ORDER OF THE DAY

#### ADOPTION OF RESOLUTION

#### MATTER DEFERRED FROM FRIDAY, MARCH 10, 2006

Stand. Com. Rep. No. 2919 (S.C.R. No. 7, S.D. 1):

Senator Baker moved that Stand. Com. Rep. No. 2919 and S.C.R. No. 7, S.D. 1, be adopted, seconded by Senator Hogue.

#### REMARKS

The motion was put by the Chair and carried, the report of the Committee was adopted and S.C.R. No. 7, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO RELEASE \$4,500,000 TO RENOVATE AND BUILD A COMMUNITY CENTER AT THE MAKIKI COMMUNITY LIBRARY," was adopted with Senators Slom and Trimble voting "No."

#### REFERRAL OF A HOUSE CONCURRENT RESOLUTION

#### MATTER DEFERRED FROM FRIDAY, MARCH 10, 2006

The President made the following committee assignment of a House concurrent resolution that was received on Friday, March 10, 2006:

House  
Concurrent  
Resolution

Referred to:

No. 30, H.D. 1      Committee on Water, Land, and  
Agriculture

#### REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The President made the following committee assignments of concurrent resolutions that were offered on Friday, March 10, 2006:

Senate  
Concurrent  
Resolution

Referred to:

No. 53      Committee on Education and Military  
Affairs

No. 54      Jointly to the Committee on Education  
and Military Affairs and the Committee on Media, Arts,  
Science and Technology

No. 55      Committee on Commerce, Consumer  
Protection and Housing

No. 56      Committee on Water, Land, and  
Agriculture

#### REFERRAL OF SENATE RESOLUTIONS

The President made the following committee assignments of resolutions that were offered on Friday, March 10, 2006:

Senate  
Resolution      Referred to:

No. 33      Committee on Education and Military  
Affairs

No. 34      Jointly to the Committee on Education  
and Military Affairs and the Committee on Media, Arts,  
Science and Technology

No. 35      Committee on Commerce, Consumer  
Protection and Housing

#### RE-REFERRAL OF HOUSE BILLS

The Chair re-referred the following House bills that were received:

House Bill      Referred to:

No. 30, H.D. 1      Jointly to the Committee on Human  
Services and the Committee on Health, then to the Committee  
on Ways and Means

No. 173, H.D. 1      Committee on Education and  
Military Affairs

No. 440, H.D. 2      Jointly to the Committee on  
Transportation and Government Operations, the Committee on  
Health and the Committee on Human Services, then to the  
Committee on Ways and Means

No. 487, H.D. 1, S.D. 1      Committee on Transportation and  
Government Operations, then to the Committee on Ways and  
Means

No. 1928, H.D. 2      Jointly to the Committee on Tourism  
and the Committee on Water, Land, and Agriculture, then  
jointly to the Committee on Judiciary and Hawaiian Affairs and  
the Committee on Ways and Means

No. 1977, H.D. 1      Committee on Commerce, Consumer  
Protection and Housing, then to the Committee on Judiciary and  
Hawaiian Affairs

No. 2039, H.D. 2      Jointly to the Committee on Health  
and the Committee on Judiciary and Hawaiian Affairs, then to  
the Committee on Ways and Means

No. 2177      Jointly to the Committee on Water,  
Land, and Agriculture and the Committee on Judiciary and  
Hawaiian Affairs, then to the Committee on Ways and Means

No. 2210      Jointly to the Committee on  
Education and Military Affairs and the Committee on Ways and  
Means

No. 2566, H.D. 1      Jointly to the Committee on  
Commerce, Consumer Protection and Housing and the  
Committee on Water, Land, and Agriculture, then to the  
Committee on Ways and Means

No. 2747, H.D. 2 Jointly to the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs, then to the Committee on Judiciary and Hawaiian Affairs

No. 2863, H.D. 2 Jointly to the Committee on Media, Arts, Science and Technology, the Committee on Energy, Environment, and International Affairs and the Committee on Business and Economic Development, then to the Committee on Ways and Means

No. 2878, H.D. 1 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Business and Economic Development, then to the Committee on Ways and Means

No. 3077, H.D. 1 Committee on Business and Economic Development, then to the Committee on Ways and Means

No. 3087, H.D. 2 Jointly to the Committee on Transportation and Government Operations and the Committee on Health, then to the Committee on Ways and Means

**RE-REFERRAL OF A  
SENATE CONCURRENT RESOLUTION**

The Chair re-referred the following Senate concurrent resolution that was offered:

Senate  
Concurrent  
Resolution                      Referred to:

No. 4                      Jointly to the Committee on Business and Economic Development and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means

**ADJOURNMENT**

At 12:30 o'clock p.m., on motion by Senator Baker, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, March 14, 2006.